

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

February 6, 2004

Jay Marshall, Resident Agent  
UtahAmerican Energy, Inc  
P.O. Box 986  
Price, Utah 84501

Re: Conditional Approval of Midterm Permit Review, Utah American Energy Inc. (UEI), Horse Canyon Mine, C/007/013, Task ID #1750 and 1813, Outgoing File

Dear Mr. Marshall:

The above-referenced amendment is conditionally approved upon receipt of five clean copies prepared for incorporation. Please submit these copies by March 8, 2004. Once we receive these copies, final approval will be granted, at which time you may proceed with your plans.

A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan. A copy of our Technical Analysis is enclosed.

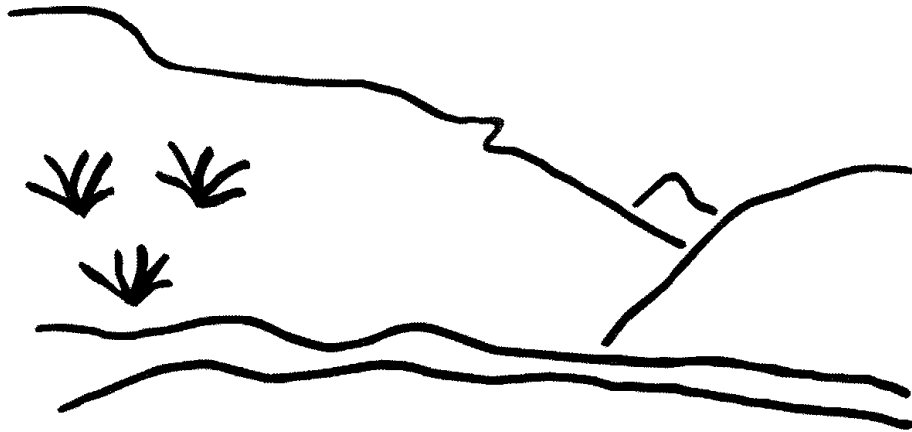
If you have any questions, please call me at (801) 538-5325 or Karl R. Houskeeper at (435) 613-5330.

Sincerely,

Daron R. Haddock  
Permit Supervisor

KRH/sd  
Enclosure  
cc: Price Field Office  
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# State of Utah



## Utah Oil Gas and Mining

### Coal Regulatory Program

Horse Canyon Mine  
Midterm Permit Review  
C/007/013  
Task ID #1813  
Technical Analysis  
February 6, 2004



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## TECHNICAL ANALYSIS

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The Division regulates the Surface Mining Control and Reclamation Act of 1977 (SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.



## **INTRODUCTION**

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The Division is required to review each active permit during its term, in accordance with R645-303-211. A Midterm Review takes place at the midpoint of the permit term (November 6, 2003 for the Horse Canyon Mine) and covers pertinent elements. The Division has conducted the Midterm Review for the Horse Canyon Mine. Elements selected for review during the Midterm are outlined in the Division's letter to UtahAmerican Energy, Inc. dated October 16, 2003.

The Division response from the Midterm Review found deficiencies, Task ID #1750 dated January 6, 2004. The operator responded to the listed deficiencies on January 13, 2004. The Midterm Review response is now designated as Task ID #1813.



## INTRODUCTION

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## OPERATION PLAN

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# OPERATION PLAN

## HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

### Analysis:

#### Discharge Structures

The permittee still needs to repair the final 50 feet of both ditch 3A and the berm channel 31 west of the pre-law refuse pile, according to the designs incorporated into Table 6.5.1-2 and the table on Drawing VI-3 and/or as discussed with Division personnel. This work will be completed as soon as access to the areas is possible from the current winter conditions, preventing any environmental harm.

### Findings:

The Permittee has responded to Task ID #1750 by providing an update of Drawing III-1A-1 that includes Berm Channel 31. This action now satisfies Task ID #1813. The information provided is considered adequate to meet the minimum hydrology requirements of the Coal Mining Rules.

